

04-09-03
FISH & RICHARDSON P.C.

Frederick P. Fish
1855-1930

W.K. Richardson
1859-1951

April 7, 2003



TECH CENTER 1600/2900

APR 11 2003

RECEIVED

CPA/1600 #
225 Franklin Street
Boston, Massachusetts
02110-2804

Telephone #37/160
617 542-5070

Facsimile
617 542-8906

Web Site
www.fr.com

Attorney Docket No.: 14879-030001

Box CPA
Commissioner for Patents
Washington, DC 20231

This paper is a request for a continuation under 37 CFR §1.53(d) of:

Applicant: HIROAKI YAMAMOTO
Title: METHOD FOR PRODUCING OPTICALLY ACTIVE 4-HALO-3-HYDROXYBUTYRIC ACID ESTER



BOSTON
DALLAS
DELAWARE
NEW YORK
SAN DIEGO
SILICON VALLEY
TWIN CITIES
WASHINGTON, DC

Prior U.S. application no: 09/305,390
Filing Date: May 5, 1999

The prior application was complete as defined by 37 CFR §1.51(b), or was a national stage of an international application filed in compliance with 35 USC §371.

This request for a CPA is the reference to the prior application noted above as required by 35 USC §120. Kindly abandon the prior application in favor of the continued proceedings that are requested herein.

The prior application is assigned of record to Daicel Chemical Industries, Ltd., a Japan corporation, by virtue of an assignment submitted to the Patent and Trademark Office and recorded on September 23, 1999 at 010260/0704.

This request includes 2 sheets.

Enclosures:

- Preliminary amendment, 7 pages.
- Petition for Five Month Extension of Time, 1 page.
- Declaration of Hiroaki Yamamoto, 4 pages.
- Postcard.

The entire disclosure of the prior application is part of this application and is incorporated by reference.

04/10/2003 AHONDAF1 00000115 061050 09305390
01 FC:1006 750.00 QP

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV 044488750 US

April 7, 2003
Date of Deposit

FISH & RICHARDSON P.C.

Commissioner for Patents

April 7, 2003

Page 2

| | |
|--|-------|
| Basic filing fee | \$750 |
| Total claims in excess of 20 times \$18 | \$36 |
| Independent claims in excess of 3 times \$84 | \$0 |
| Fee for multiple dependent claims | \$0 |
| Total filing fee: | \$786 |

A check for the filing fee and petition for extension of time is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

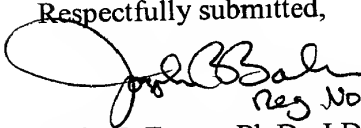
If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (858) 678-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

JANIS K. FRASER, PH.D., J.D.
Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804

Respectfully submitted,


Janis K. Fraser, Ph.D., J.D. *for*
Reg. No. 34,819

Enclosures
JKF/lmb
10292845.doc